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May 31, 2007

BY FAX and U. S. Mail

Tracey L. Ligon,
Attorney
Federal Election Commission
Office of General Counsel
999 E Street, NW
Washington, D.C. 20463

RE: Donna Owens
MUR 5871

Dear Ms. Ligon:

This is to confirm that Mrs. Owens would like to enter into conciliation. As you are likely aware, and as more fully addressed in Mrs. Owens' enclosed affidavit, she never intended to violate any federal election law. This was an isolated incident, and certainly not reflective of any pattern or practice by her.

Mrs. Owens, we believe, may be the only conduit who initially paid for the ticket, in full, using her own funds. It was after the fundraiser had concluded that Mr. Noe then reimbursed her for \$ 1,900. At the time she bought the ticket and completed the donor card, she did not know how much would be reimbursed. In fact, she had no guarantee that any would be reimbursed. Mr. Noe was in a rush to get her to buy a ticket, so she even paid for the ticket and filled out the donor card the day he called. She did not initially use Mr. Noe's funds to buy the ticket. Although other conduits did, and some claimed the funds were "loans", Mrs. Owens did not fall into either category. Mr. Noe did not reimburse her until after the fact. Mr. Noe was well-respected and well-known within state and national Republican politics, and it never occurred to her that he would ask her to do something illegal. After all, he was chairing the Bush - Cheney reelection committee in Ohio.

Indeed, it was not until she was contacted by the FBI that she learned she may have violated the law. Mrs. Owens immediately did everything she could to fully accept

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responsibility. This included materially assisting the FBI and the U.S. Attorney's Office in their investigation and prosecution of Tom Noe. She also reached an agreement with the Ohio Ethics Commission that resulted in a misdemeanor conviction. And, she has paid for the investigation and fines, which totaled approximately \$ 5,000. The AUSA's characterization of conduits, such as Mrs. Owen's, having been "duped" seems fair.

Mrs. Owens was in public service, until her 2005 retirement, without any scandal or impropriety, for nearly 30 years. She was Mayor of Toledo for 6 years, from 1983 to 1989. Prior to that, she served on Toledo City Council and the Lucas County Board of Education. Mrs. Owens' reputation is one of bipartisanship and integrity. She is truly remorseful for what happened in this isolated incident of poor judgment, and has done everything possible to rectify it.

We hope that you will take Mrs. Owens' entire career and character into consideration, and recognize that this was an isolated incident for which she has been genuinely remorseful and cooperative. It never occurred to her, following her agreement with the United States Attorney's Office and the Department of Justice, Division of Public Integrity, and her resolution with Ohio election officials, that she was facing potential liability from the Federal Election Commission. However, she stands ready to continue to accept responsibility, and hopes you are willing to work with her on conciliation.

Very truly yours,

Deborah Kovac Rump

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AFFIDAVIT OF DONNA OWENS
MUR 5871

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1. A few days before the October 30, 2003 luncheon fundraiser at the Hyatt Regency Hotel in Columbus, Ohio, Tom Noe contacted me and asked if I would attend. He indicated I needed to get the money paid by noon of that day;

2. From speaking with Mr. Noe, I thought he contacted me because the ticket sales had been slow and the Bush – Cheney reelection committee needed to fill seats at the luncheon. At the time, I was working in Columbus in a non-elected position. And, I had a long-standing affiliation with the Republican party, having worked many years in municipal and state government. At first, I believed I was going to receive a complimentary ticket to the fundraiser but would pay for the meal, in accordance with common practices;

3. Mr. Noe told me that I would be reimbursed for an unspecified amount of the ticket. We never discussed an exact amount because the luncheon was about to occur. I had known Mr. Noe for many years, knew he was respected within the Republican party, and believed he could be trusted;

4. I purchased a ticket, using my credit card, because I did not have \$ 2,000 cash available that quickly;

5. I was not aware that what I was doing violated federal election law;

6. After the luncheon was concluded, I was reimbursed \$ 1,900 for the event. The check was made payable to me by Mr. Noe and was placed in my personal checking account. It was used to pay the credit card bill. I was not privy to, nor did I ever see, the 2003 Year End Report prepared by the Bush-Cheney Committee;

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7. I never regarded my purchase of the ticket as a "loan", and never told anyone it was a loan. I was completely honest with the FBI when they contacted me, and fully accepted responsibility;

8. I completed the donor card at the same time I paid \$ 2,000 for the ticket with my credit card. I wasn't certain how much I would be reimbursed. I now know why it was perceived as illegal under the existing federal election law.

9. As soon as I was contacted by federal authorities, and realized what I had done was wrong, I cooperated fully and voluntarily. This included testifying in the federal grand jury. I agonized over this situation, and the ensuing public embarrassment;

10. The United States' Attorney's Office and the Department of Justice, Public Integrity Division, gave me a verbal grant of immunity in exchange for my assistance. That verbal grant of immunity was placed in the record before the federal grand jury;

11. I paid, without objection, for the costs of the investigation and fines, which totaled approximately \$ 5,000. I also pleaded to a misdemeanor offense in Toledo Municipal Court that was generated by the Ohio Ethics Commission. Unlike at least one of the others involved in this matter, I never claimed any constitutional right against self-incrimination and did nothing to impede the investigation. In fact, I did everything I could to assist the authorities once I realized I may have done something wrong;

12. During my years of public service, which began in 1976, I never knowingly violated any election laws. On only one occasion an allegation was made, but I was fully exonerated by Ohio election officials;


13. Immediately upon my 1999 appointment to the Industrial Commission, I removed myself from all political-related committees, to avoid any appearance of

impropriety. I also removed myself from those types of activities because I did not have the time. During this time, I was frequently commuting between Columbus and Toledo, caring for my elderly parents. During 2003, I had to move my mother to a nursing care facility. My father and mother both died in 2003. I was their primary care giver during their various illnesses. And, I was in a serious car accident. My interest in politics was minimal;


14. In a June 1, 2006 article in The Toledo Blade newspaper, Assistant U. S. Attorney Seth Uram was quoted as stating in court during Mr. Noe's change of plea that I (along with most of the other conduits) had been "duped" by Mr. Noe once he realized that at least some of the conduits couldn't afford to pay \$ 2,000 for a ticket but he still needed to meet a certain quota. Mr. Noe never told me that he was motivated by meeting a quota when he approached me about attending this luncheon.;

15. I believe, to the best of my knowledge, that I was the only conduit who used her own funds to actually prepay the full ticket price of \$ 2,000. Mr. Noe never provided me with any reimbursement before the event, and never told me exactly how much I would be reimbursed.

I hereby certify that the information in this affidavit is true and accurate to the best of my knowledge.


Donna Owens

Subscribed and duly sworn before me according to law, by the above named affiant this 31st day of May, 2007 in the City of Toledo, Lucas County, Ohio.


Notary Public



KATIE YOUNG
Notary Public, State of Ohio
My Commission Expires 07-04-2011